

Members

Sen. Sue Landske, Chairperson
Sen. Becky Skillman
Sen. Billie Breaux
Sen. Allie Craycraft
Rep. Duane Cheney
Rep. Thomas Kromkowski
Rep. Robert Behning
Rep. Kathy Richardson



CENSUS DATA ADVISORY COMMITTEE

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Robert Rudolph, Attorney for the Committee
Chris Baker, Fiscal Analyst for the Committee

Authority: IC 2-5-19

MEETING MINUTES¹

Meeting Date: December 18, 2001
Meeting Time: 1:30 P.M.
Meeting Place: State House, 200 W. Washington St., Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 5

Members Present: Sen. Sue Landske, Chairperson; Sen. Becky Skillman; Sen. Billie Breaux; Sen. Allie Craycraft; Rep. Duane Cheney; Rep. Robert Behning; Rep. Kathy Richardson.

Members Absent: Rep. Thomas Kromkowski.

(1) Call to Order. The Chair, Senator Landske, called the meeting to order at approximately 1:30 p.m.

(2) Introduction of Members. Committee members present introduced themselves.

(3) Report of the Office of Census Data. The Committee heard a report from Maureen Bard and Mark Stratton about latest developments from the Census Bureau. Mr. Stratton described improvements to the Tiger® files and the efforts to improve the integration of local level geography into the files. Mr. Stratton said that with every new release of information from the Census Bureau, new sliver problems will appear because on inconsistencies between the new geography and older maps.

1. Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

(4) Review of PD 3918 Concerning Adjusting Census Numbers in Statutes.² The Chair asked staff to review PD 3918. Staff stated that most of the draft involved amendments to statutes in Title 6. Unless Committee members had specific questions after having reviewed the analysis sheets, staff would discuss only selected SECTIONS of the draft.

- ' SECTION 48. This SECTION corrects an error in an amendment to IC 8-1-2-103 contained in a previous draft, PD 3687. In the previous draft, the amended parameters described West Lafayette. After additional review of this Code section, it appears that the City of Elkhart is the municipality currently described. The new draft makes this correction.
- ' SECTION 49. This SECTION amends a statute relating to the Gary School Corporation discussed at the November 15 meeting. The amendment removes the ADM references and describes the corporation by reference to the City of Gary alone.
- ' SECTION 50. This SECTION amends a statute relating to the Lake Station School Corporation also discussed at the November 15 meeting. The amendment is analogous to the amendment discussed for SECTION 49; references to ADM have been removed from the description of this school corporation. Staff also noted for the Committee's information that the statute for the Lake Station corporation includes a metes and bounds description of the school corporation's districts. If the corporation wanted to change these districts, the General Assembly would be required to amend the statute.
- ' SECTION 52. This statute (IC 36-4-3-13) applies to St. Joseph County. The only amendment to this statute corrects a bad cross reference found on page 47, line 27 of the draft.
- ' SECTION 72. This is an amendment to a Noncode statute that establishes the Lake Management Work Group. This amendment relates to the requirement that the members of the Group appointed by the Governor must represent Indiana congressional districts. The amendment to this statute is consistent with other statutes requiring the membership of boards and commissions to reflect Indiana congressional districts already considered by the Committee. While the statute expires July 1, 2002, an amendment to this statute is recommended because staff has learned there may be an effort to postpone the expiration date of the Work Group.
- ' SECTIONS 1 and 2. Staff explained that the language found in SECTION 1 is a refinement of the language found in PD 3687 discussed at the November 15 meeting. The amendment to IC 1-1-3.5-3 now would provide the following:
 - For purposes of funding statutes described in IC 1-1-3.5-5(c) population references are references to the most recent Census data.
 - For purposes of a noncode statute, a population reference is the reference to the most recent federal decennial census in effect before passage of the statute.
 - For purposes of all other statutes, a population reference is a reference to the population determined by the most recent federal

2. A copy of PD 3918 is Exhibit 1 to these Minutes.

decennial census, unless the statute specifically provides otherwise. SECTION 2 supplies a definition of a "noncode statute".

Staff distributed a copy of a proposed amendment to IC 36-8-7-1.³ Staff said that this statute describes the membership of the 1937 Firefighters' Pension Fund. The current statute contains a population parameter for cities with population of at least 114,500. The use of this parameter in the statute would appear to suggest that the membership of this fund could expand if municipalities grew above the threshold. However, the 1977 legislation establishing the 1977 Police Officers' and Firefighters' Fund suggests otherwise. An examination of the history of this Code section also reveals that the parameter has not changed since 1937.

After consultation with staff of the Public Employees Retirement Fund who consulted with knowledgeable pension attorneys, it was concluded that the intent of the 1977 amendments would be preserved by removal of the parameter and rendering the statute as indicated in the proposed amendment.

A motion was made and seconded to add the proposed amendment to PD 3918. The motion was adopted by consent.

(5) Committee Action on Drafts Relating to Adjusting Census Numbers in Statutes.

The Chair asked whether there was a motion regarding disposition of the drafts relating to the population parameters project. Staff suggested that if the Committee wished to make a favorable recommendation regarding the project, the Committee might wish to combine the following documents: PD 3312, PD 3657, PD 3687 (without SECTIONS 1, 2, and 11), and PD 3918 as just amended.

A motion was made and seconded to consolidate the drafts as suggested by staff and that the Committee recommends to the General Assembly enactment of a bill based on the combined drafts. All members present gave their consent to the motion.

Those voting in favor of the motion were: Senator Landske, Senator Breaux, Senator Craycraft, Representative Cheney, Representative Behning, and Representative Richardson.

Those voting against the motion were: none.

(6) Review of Draft Joint Resolution Concerning Special Legislation.⁴

The Chair recognized Representative Cheney to present a draft joint resolution. Representative Cheney said that he concluded that if the General Assembly decides that a particular statute should be tailored to the needs of a particular community or political subdivision, the General Assembly should name the community or political subdivision. He asked why the General Assembly should be forced to resort to describing the community with population numbers. He said that to make government more accessible and make laws easier for the people to understand, the General Assembly should be able to say

3. A copy of the draft is Exhibit 2 to these Minutes.

4. A copy of the draft is Exhibit 3 to these Minutes.

what it means. The proposed joint resolution to amend the Indiana Constitution would permit the General Assembly to enact the same laws that the Committee had studied during the past interim but to name the communities instead of resorting to population parameters.

Representative Richardson asked whether the General Assembly would be required to again amend the statutes considered by the Committee during the interim to name the names of political subdivisions if Representative Cheney's proposed joint resolution became part of the Indiana Constitution. Staff replied that the proposed joint resolution would permit statutes to name the political subdivisions to which the statutes applied, but would not require that amendment.

Senator Landske said she thought it was a good idea to place the idea before the General Assembly for consideration.

A motion was made and seconded that the Committee recommends to the General Assembly adoption of a joint resolution based on the draft as presented by Representative Cheney. All members present gave their consent to the motion.

Those voting in favor of the motion were: Senator Landske, Senator Breaux, Senator Craycraft, Representative Cheney, Representative Behning, and Representative Richardson.

Those voting against the motion were: none.

(7) Public Testimony.

The Chair recognized Laurie Christie, Co-Director of the Election Division to inform the Committee about the recently concluded meeting of circuit court clerks.

Senator Craycraft asked Ms. Christie how development of the campaign finance software was progressing. Ms. Christie reported that the software was close to being completed and that there should be tests of the software by next month.

Christie Robertson, Co-General Counsel of the Election Division reported that the program has had some problems working with versions of Windows® earlier than Windows® 2000.

(8) Review of Committee Action taken During the 2001 Interim.

Staff briefly reviewed the Committee's work for the 2001 Interim. The Chair announced that the Committee would meet briefly while the General Assembly is in Session to consider and adopt an annual report.

(9) Adjournment. The Chair adjourned the meeting at approximately 3:00 p.m. and stated the Committee would next meet on the call of the Chair.